

ORDINANCE NO. 13-\_\_\_\_\_

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Christie Lynn D. Ashton and William H. Ashton III, are the owners of the property across which said easement lies; that said easement or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)  
COUNTY OF MADISON)

**QUITCLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned CITY OF HUNTSVILLE, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by Christie Lynn D. Ashton and William H. Ashton III, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

All that part of Lot 2, Block 2, of Shadow Wood Subdivision Second Addition, as recorded in Plat Book 16, Page 44, in the office of the Judge of Probate Records, Madison County, Alabama; more particularly described as beginning at a point on the South property line and on the South side of an existing 5' utility and drainage easement that is South 72 degrees 00 minutes 57 seconds West 47.81 feet from the Southeast corner of said Lot 2.

Thence from the true point of beginning and along said South property line and the South line of said 5' utility and drainage easement; South 72 degrees 00 minutes 57 seconds West 47.00 feet to a point

Thence North 17 degrees 59 minutes 03 seconds West 5.00 feet to a point on the North side of an existing 5' utility and drainage easement

Thence along said North side of 5' utility and drainage easement, North 72 degrees 00 minutes 57 seconds East 47.00 feet to a point

Thence leaving said easement line South 17 degrees 59 minutes 03 seconds East 5.00 feet to the point of beginning and containing 235 square feet.

TO HAVE AND TO HOLD unto the said grantee, its successor and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 10 day of January, 2013.

CITY OF HUNTSVILLE, AL.  
A municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

ATTEST:

By: \_\_\_\_\_  
Charles E. Hegood  
Clerk - Treasurer  
STATE OF ALABAMA)

COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hegood, whose names as Mayor and City Clerk - Treasurer, respectively, of the City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 10th day of January, 2013.

\_\_\_\_\_  
NOTARY PUBLIC  
Commission Expires: \_\_\_\_\_

THIS INSTRUMENT PREPARED BY: William T. Agnellus, Big Spring Surveyors, 404 Andrew Jackson Way, Huntsville AL 35801

Ordinance No. 13-\_\_\_\_\_ (Cont.)  
Ashton

ADOPTED this the 10th day of January, 2013.

\_\_\_\_\_  
President of the City Council  
of the City of Huntsville, Alabama

APPROVED this the 10th day of January, 2013.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama